



Borough of Douglas

**MR. COUNCILLOR DAVID JOHN ASHFORD, J.P.
MAYOR**

Town Hall,

Douglas,

3rd August, 2012

Dear Sir or Madam,

You are hereby summoned to attend a MEETING OF THE COUNCIL to be held on WEDNESDAY, the 8th day of AUGUST, 2012, at 2.30 o'clock in the afternoon, in the COUNCIL CHAMBER within the TOWN HALL, DOUGLAS for the transaction of the hereinafter mentioned business.

I am,

Yours faithfully

Town Clerk & Chief Executive

Order of Agenda

I - Election of a person to preside (if the Mayor is absent).

II - Any statutory business.

III - Approval as a correct record of the minutes of the last regular and any intermediate Meetings of the Council.

IV - Questions of which Notice has been given by Members of the Council, pursuant to Standing Order No. 39.

V - Consideration of the minutes of proceedings of the Council in Committee.

VI - Consideration of the minutes of proceedings of Committees of the Council in the following order:

- (i) The Executive Committee;
- (ii) The Pensions Committee;
- (iii) The Standards Committee;
- (iv) The Eastern Civic Amenity Site Joint Committee;
- (v) Any other Joint Committee;

VII - Consideration of the report of each Lead Member in the following order:

- (i) Housing and Property;
- (ii) Regeneration and Community;
- (iii) Environmental Services;

VIII - Consideration of such communications or petitions and memorials as the Mayor or Chief Executive may desire to lay before Council.

IX - Notices of Motion submitted by Members of the Council in order of their receipt by the Chief Executive.

X - Any Miscellaneous Business of which Notice has been given pursuant to Standing Orders.

The above Order of Agenda is in accordance with Standing Order No. 16(1); under Standing Order No. 16(2) it may be varied by the Council to give precedence to any business of a special urgency, but such variation shall not displace business under I and II.

AGENDA

III – Chief Executive to read minutes of the Council Meeting held on Wednesday, 11th July, 2012.

VI(i) - The proceedings of the EXECUTIVE COMMITTEE as follows:

EXECUTIVE COMMITTEE

EXECUTIVE COMMITTEE – Minutes of Meeting held on Friday, 27th July, 2012.

Members Present: Mr. Councillor D.W. Christian (Chair), the Mayor, Councillor Mrs. C.E. Malarkey, Messrs Councillors E.A. Joyce, R.H. McNicholl.

In Attendance: Borough Treasurer, Borough Engineer & Surveyor, Assistant Town Clerk.

REPORT

PART A -

Matters within the scope of the Executive Committee's delegated authority

A1. Apologies for Absence

Apologies for absence were submitted on behalf of Mr. Councillor S.R. Pitts and the Chief Executive.

A2. Declarations of Interest

No declarations of interest were submitted.

A3. Minutes

The minutes of the meeting held on Friday 29th June 2012 and the special meeting held on Wednesday 4th July 2012 were approved and signed.

A4. Matters Arising from Previous Minutes

Clause A12 – ‘Party in the Park’ event: in response to a Member’s query, it was noted that the event had been very successful with somewhere in excess of 2,000 people in attendance.

Clause A13 – Items for Future Report – Local Authority Fines: in response to a Member’s query as to whether the Council intended to increase its fines for parking following recent publicity of Government increasing its parking fines, it was confirmed that the Government proposal related to on-street parking.

Resolved, “That particulars be noted on the minutes.”

A5. Minutes and Referrals of the Environmental Services Advisory Committee

The Committee considered the minutes of the Environmental Services Advisory Committee meeting held on Monday 16th July 2012. It was noted that there were no items requiring specific referral to the Executive Committee, however, discussion took place in respect of the circulation to Members of minutes of various working groups / outside bodies.

Resolved, “(i) That particulars of the minutes of the Environmental Services Advisory Committee be noted;

(ii) That minutes of the various working groups / outside bodies (including the Joint Eastern District Civic Amenity Site Committee, but excluding the Whitley Council) be brought directly before Council; and

(iii) That the Assistant Town Clerk be requested to clarify the situation in respect of the Whitley Council minutes.”

A6. Minutes and Referrals of the Regeneration and Community Advisory Committee

The Committee considered the minutes of the Regeneration and Community Advisory Committee meeting held on Tuesday 17th July 2012, including specifically those items referred to the Executive Committee as follows:

Clause B13 – Children’s Party Bookings (Horse Tram Hire and Strathallan Suite): approval was sought for a fee of £75 to be charged for the hire of a horse tram and the use of the Strathallan Suite for children’s parties. It was proposed to apportion £20 of the income to the Strathallan Suite, and £55 to the Tramways. Members agreed, however, that this proposal could not be supported as they considered the subsidy was too great in relation to the current charges.

Clause B14 – Promotion of downloadable eBooks and Audio Book Service to Local Authorities Island-wide): it was noted that the cost to a local authority to share the full Library service was currently £550 per annum for a population of over 1,500 and £275 per annum for a population of under 1,500. To encourage local authorities to buy into the full scheme, approval was sought to offer it to them on a free trial basis up until the end of this financial year. It had also been further recommended that those authorities who had paid their subscription be offered a refund for 2012 / 2013. Following discussion, Members proposed, however, not to support the recommendation, and instead agreed that the matter be referred back to the Regeneration and Community Advisory Committee, with a recommendation that that Committee investigates not only alternative options to encourage local authorities to share the eBooks and audio books service, but also ways of promoting the eBooks service to the public in general, as individuals. It was also agreed that authority be not been given for the refund to the authorities as requested.

A typographical error was also noted in resolution (i) of Clause A9, Christmas Lights Ceremony 2012, in that the date should read 22nd November 2012 (rather than 22nd December 2012).

Resolved, “(i) That particulars of the minutes of the Regeneration and Community Advisory Committee be noted;

(ii) That approval be not given for the proposed charge of £75 in respect of the hire of a horse tram and the use of the Strathallan Suite for children’s parties;

(iii) That Clause B14 be referred back to the Regeneration and Community Advisory Committee with a recommendation that the Committee investigates not only alternative options to encourage local authorities to share the eBooks and audio books service, but also ways of promoting the eBooks service to the public in general, as individuals;

(iv) That approval be not given for a refund to be offered to those authorities who had already paid a subscription for 2012 / 2013; and

(v) That in resolution (i) of Clause A9, Christmas Lights Ceremony 2012, the date be amended to read 22nd November 2012.”

A7. **Consultation Document – The Criminal Justice, Police Powers and Other Amendments Bill 2012**

The Committee considered a written report by the Assistant Town Clerk in relation to a consultation document received from the Department of Home Affairs.

The Bill was essentially an abridged version of the previous Criminal Justice Bill, on which the Council had submitted comments. Several major elements of that earlier Bill had been set aside and this Bill now focussed on police procedures, bail, and search warrants. It was noted that the elements not being pursued included public drunkenness; sex offences and obscene publications; drugs offences; and community safety.

The provisions under consideration were set out in detail in the Assistant Town Clerk’s written report for examination by the Committee. Views were also expressed by Members, including in respect of allowing unlimited entries into premises, and the extension of search warrants from one month to three months.

Resolved, “(i) That particulars of the report be noted on the minutes; and

(ii) That the Department of Home Affairs be advised that the Council supported the proposed Bill as enhancing police powers, but with the following specific comments also being submitted:

- That the role of any individual assisting a police officer in executing a search warrant be specified in the warrant, and that such individual must not have the full powers of the police officer but rather act under the officer’s direction;
- That the Council’s previously-stated opposition to the power to seize material other than that required as evidence be reiterated;
- That multiple entries to premises should be permitted, but that the number of times should be specified within the details of a warrant;
- That search warrants be valid for one month only (rather than the proposed three months) and if more time was required, then a further warrant should be applied for;
- That the clarification of comparison of fingerprints, samples and impressions with those held elsewhere be supported, but that the Council maintained its view that where an individual was found innocent of any offence, all such material related to the case should be destroyed forthwith;
- That the extension of powers in relation to the arrest of children were supported as reflecting modern circumstances and enabling the police to act appropriately.”

A8. Consultation Document – Draft Building (Fees) Regulations 2012

The Committee considered a written report by the Assistant Town Clerk in relation to a consultation document received from the Planning and Building Control Section of the Department of Infrastructure.

The Council and Onchan District Commissioners were Building Authorities, providing a building control service in their respective areas, whilst the Department of Infrastructure provided the service throughout the remainder of the Island. Current charges, fixed by Regulations made by the Department and levied for various elements of the service, were now considered by the Department to be inadequate to cover its cost of providing the service and, accordingly, it proposed to make new Regulations increasing the fees. It was noted that the new Regulations and charges would also apply to the two local authorities providing building control services.

Members were advised that, although the Council had, historically, tried to recover all its costs incurred in the provision of the service, an increase in the fees could lead to the Council's service generating income greater than its expenditure, thus effectively generating a profit to the Council which might be seen as politically unacceptable.

It was also suggested that the additional fees might have an adverse effect on many businesses, such as builders, which were already experiencing difficulty due to the current economic climate, and it was therefore proposed that the Department should be recommended to review the fees annually. This would allow economic conditions to be taken into account, and would give an opportunity for the level to be adjusted each year if the service was to become more than simply self-financing. Members also considered the situation of income being in excess of expenditure in a financial year, and it was suggested that it might be appropriate to credit any net income to the Derelict Building Fund.

Resolved, "(i) That particulars of the report be noted on the minutes;

(ii) That the Department of Infrastructure be advised:

- That the Council supported the proposed Draft Building (Fees) Regulations, including the schedules of revised fees related to Building Control;
- That it was recommended that the fees chargeable for Building Control Services be reviewed on an annual basis; and

(iii) That any net income derived from the Building Control Service be credited to the Derelict Building Fund."

A9. Consultation Document – Bribery Bill 2012

The Committee considered a written report by the Assistant Town Clerk in relation to a consultation document received from the Department of Home Affairs.

The proposed Bill was based on the Bribery Act 2010 of the United Kingdom Parliament and replaced the Corruption Act 2008, with its stated objective being to bring the Island's legislation into line with international standards.

Although the Bill proposed no major change in the current provisions, it did seek to introduce a provision whereby a commercial organisation may be prosecuted for failure to prevent bribery carried out by a person associated with it. As the provision applied to both commercial activity and public services, it would apply to the Council. However, the Council already had robust governance arrangements in place and therefore need have no concern.

Views were also expressed by Members, including in respect of the bribery of foreign public officials, where it was suggested that an extra clause be inserted to reflect that no 'personal advantage' be gained, as currently it only referred to 'commercial activity'.

Resolved, "(i) That particulars of the report be noted on the minutes; and

(ii) That the Department of Home Affairs be advised:

- That the Council supported the statutory provisions relating to corruption in the proposed Bribery Bill 2012 being brought up-to-date to reflect modern global standards;
- That in respect of the bribery of foreign public officials, an extra clause be inserted to reflect that no 'personal advantage' should be gained (as currently the Bill only referred to 'commercial activity')."

A10. Consultation Document – Draft Carers' Charter

The Committee considered a written report by the Assistant Town Clerk in relation to a consultation document received from the Department of Social Care.

The consultation document had been produced as part of the Department's development of a Carers' Strategy, recognising the important role that carers played in society. Carers were understood to be

those who provided unpaid care for one or more close relatives, and the focus of the document was on providing support for such individuals.

The only area of the document that might affect the Council was the action point on housing. It could be anticipated that the Department's commitment to working with partners – including local authorities – might impact on the Council's housing policies, for example, by giving special consideration to carers. However, as the Council's Housing Department officers already worked closely with all tenants to ensure their needs were addressed, there was no reason to assume that this would be an additional burden.

Resolved, "(i) That particulars of the report be noted on the minutes;

(ii) That the Department of Social Care be advised that the Council expressed its general support for the principles embodied in the Draft Carers' Charter; and

(iii) That it be agreed that the Council should commit to working with the Department of Social Care in taking into account the needs of carers within the housing function."

A11. Planning Department – User Group Meetings

The Committee considered a written report by the Assistant Town Clerk in relation to a letter received from the Planning and Building Control Section of the Department of Infrastructure, seeking to review the role of local authorities in the planning process.

The Department held user group meetings at which some local authorities were represented while others were not. Following a suggestion at one such meeting that the role of local authorities in the planning process should be discussed, the Department was now seeking views from local authorities on a proposal to hold four separate meetings on a 'regional' basis to gain input from local authorities.

It was noted that the Council was a consultee in all planning applications in its area, although the Planning Committee was responsible for decisions on planning applications. This occasionally led to a perception that the Council could not therefore affect outcomes. Members were reminded that the Council had stated previously its belief that first stage planning should be the responsibility of the local authority, and it was suggested that this might be an ideal time to reinforce that view.

Although the letter inferred that all local authority Members were to be invited, it was agreed that the meeting might be more focussed if a small group of Members represented the Council, rather than all eighteen attending. It was noted that in May 2012, the Environmental Services Advisory Committee had accepted an invitation to appoint a representative to attend Planning Committee meetings with 'observer' status. It had been decided to appoint the Chair (Mr Councillor R H McNicholl), with Mr Councillor C C Thomas and Mr Councillor J E Skinner also being appointed in case of the Chair being unavailable. It was, however, recommended that only either the Chair and Vice-Chair of the Environmental Services Advisory Committee should represent the Council at any local authority meetings convened by the Planning Department.

Further, in support of the initiative, it was recommended (subject to availability) that the Strathallan Suite be made available for the event.

Resolved, "(i) That particulars of the report be noted on the minutes;

(ii) That the Council support the holding of meetings on a regional basis to discuss the role of local authorities in the planning process;

(iii) That the Chair and Vice-Chair of the Environmental Services Advisory Committee be nominated to attend such meeting on behalf of the Council;

(iv) That in relation to other local authorities, it be suggested that they should be represented only by either their Chair or Vice-Chair accordingly;

(v) That, subject to availability, the Strathallan Suite be offered free of charge as the venue for the event for the 'eastern region'; and

(vi) That it be agreed that the Council should reiterate its view that first stage planning decisions should rest with the local authority."

A12. Monthly Financial Review

The Committee considered a written report by the Borough Treasurer setting out details of progress made compared to key performance indicators in relation to rates collected; the increase in direct debit take-up for the year; the percentage of net rent collected; gross rent arrears; the number of tenants owing over £500; and sundry debtors over three months old.

Resolved, "That particulars of the report be noted on the minutes."

A13. Attendance at Conferences – IRRV and Recycling and Waste Management

The Committee considered a joint written report by the Borough Treasurer and the Borough Engineer & Surveyor seeking approval for attendance at the IRRV and the Recycling and Waste Management conferences respectively.

The IRRV conference was due to be held on 3rd to 5th October 2012. In previous years, the Chairman of the Policy and Resources Committee and the Borough Treasurer had attended and found it of great benefit in following current trends in public sector finance and accountancy. As the Council Leader was not available to attend this year, approval was sought for the Vice-Chair instead to attend the conference with the Borough Treasurer.

The Recycling and Waste Management event was to be held in association with the Chartered Institute of Waste Management on 11th to 13th September 2012. The Borough Engineer & Surveyor (or his nominated officer) usually attended the event, which explored the latest industry developments. The Chair of the Environmental Services Advisory Committee was recommended as the Member to attend.

Resolved, “(i) That particulars of the report be noted on the minutes;

(ii) That the Vice-Chair of the Executive Committee and the Borough Treasurer be authorised to attend the IRRV Conference, to be held in Telford at the Telford International Centre from 3rd to 5th October 2012; and;

(iii) That the Chair of the Environmental Services Advisory Committee and the Borough Engineer & Surveyor (or his nominated officer) be authorised to attend the Recycling and Waste Management Conference and associated events, to be held in Birmingham at the NEC from 11th to 13th September 2012.”

A14. Capital Out-Turn 2011 – 2012

The Committee considered a written report by the Assistant Chief Officer (Finance) in relation to the financial year-end out-turn position on the capital programme.

The report set out the actual expenditure on the capital programme for 2011 / 2012 as compared to the original and revised estimates. There was expenditure of £10,583,000, representing 71% of the original and 100% of the revised capital programme estimates. This compared to £4,479,000 (45% of the original and 67% of the revised capital programme estimates) for 2010 / 2011.

It was noted that petition requests made to the Department of Infrastructure during 2011 / 2012 totalled £8,095,000; while petition approval granted during that financial year amounted to £8,052,000 (the difference reflecting the time lapse between request and approval dates).

Resolved, “(i) That particulars of the report be noted on the minutes;

(ii) That capital expenditure for the 2011 / 2012 financial year, in the sum of £10,583,000, also be noted; and

(iii) That the financing of the expenditure on capital projects (as detailed in Appendix A) be approved as follows:

Loan	£9,359,100
Repairs & Renewals Fund	£538,400
Revenue Reserve	£543,300
Building Maintenance (Commercial) Fund	£41,100
External Contribution	£21,000
Capital Receipts	£14,100
Cremator Renewals Fund	£49,100
Risk Management & Special Projects Fund	£17,200
Total	£10,583,300

A15. Revenue Out-Turn 2011 – 2012

The Committee considered a written report by the Assistant Chief Officer (Finance) seeking approval of the revenue out-turn position for the 2011 / 2012 financial year.

This annual report set out the overall revenue performance against budgets, and the ensuing impact upon the General Revenue Reserve. It was noted that the revenue out-turn position across all services, together with all other revenue items, provided a significant final contribution into the General Revenue Reserve balance. Ignoring commitments, this left a year-end balance which was considerably higher than the balance envisaged when the original budget had been approved in January 2011 (although it was noted that significant commitments had been rolled forward).

Given the favourable out-turn position, it was recommended that commitment be made from the General Revenue Reserve in respect of the Cambrian Place redevelopment scheme. This would prevent the project causing a one-off 'spike' in the 2013 / 2014 rate levy. In order to minimise this cost, officers would be tasked with investigating further the timing and financing before borrowing was taken out and the appropriate amount was committed from Reserves.

Members were advised that the resulting uncommitted balance on the General Revenue Reserve was higher than the balance that had been anticipated at the 2012 / 2013 approved estimates stage in January 2012. This would help offset the financial implications of any difficulties experienced in achieving the target budget savings during the current financial year. It would also provide an opportunity to review the adequacy of funding levels across the Council's various earmarked reserves, and to consider where any further top-ups might be required.

Discussion took place with regard to a number of specific items and the Committee also noted the increased level of the Pensions Reserve compared to the previous year's balance sheet date. This reflected the increased Financial Reporting Standard (FRS17) actuarial liability (as calculated by Hymans Robertson), the deficit being increased because of the impact of unfavourable financial assumptions, coupled with poorer than expected asset returns over the year.

Resolved, "(i) That particulars of the report be noted on the minutes;

(ii) That the year-end revenue out-turn position for 2011 / 2012, including the final contribution into Balances of £497,815 and the year-end General Revenue Reserve balance of £2,823,257 (before future commitments), also be noted and approved;

(iii) That approval be given for a suitable amount of the General Revenue Reserve to be committed to cover the increase in loan changes in 2013 / 2014 in respect of the Cambrian Place construction, with officers being tasked with considering means of reducing the cost which would be incurred; and

(iv) That the Borough Engineer & Surveyor be requested to provide specific information as follows:

- Bottleneck Car Park: breakdown of the amount incurred in respect of repairs and maintenance;
- Bottleneck Car Park: breakdown of the amount incurred in respect of operational wages;
- Decorative Lighting / Public Lighting: explanation in respect of the over-spend / under-spend."

A16. Members' Allowances and Attendance At Meetings – Year Ended 31st March 2012

The Committee considered a written report by the Assistant Town Clerk in relation to Members' Attendance Allowance payments for the financial year ended 31st March 2012.

The Council was required by Schedule 2 of the Local Government Act 1985 to publish a report detailing the number of meetings of the Council and its Committees, and the total sums paid to Members. It was also obliged to send a copy of the report to the Department of Infrastructure with a certificate by the Council's auditors.

The schedule, setting out Members' attendances at meetings and allowances paid, contained reference to the number of 'sessions' each Member had attended. It was noted that this could not replace the requirement for the number of meetings to be reported under the Act, but it was provided as additional information.

Resolved, "(i) That particulars of the report and the schedule setting out Members' attendances at meetings and allowances paid during the year ended 31st March 2012 be noted on the minutes;

(ii) That approval be given for the submission of the schedule to the Council's auditors with the annual accounts, and thence to the Department of Infrastructure; and

(iii) That the report be made available to the public through the Council's website, as well as through the Town Hall Reception, and circulated with the public Council Agenda for the August 2012 meeting."

A17. Statement of Accounts 2011 – 2012

The Committee considered a written report by the Assistant Chief Officer (Finance) seeking approval of the Council's Annual Statement of Accounts.

Under the Audit Act 2006, the Statement of Accounts must be prepared by 31st July and approved by the Council (delegated to the Executive Committee) before it could be passed to PKF (Isle of Man) LLC, the Council's external auditors.

It was noted that both the format and the content of the Statement of Accounts for the year ending 31st March 2012 were broadly similar to the 2010 / 2011 financial year, and that the draft Statement of Accounts was intended to be compliant with the Accounts and Audit Regulations 2007 (the SORP).

The SORP required that authorities should disclose details of any significant events that may have occurred between the balance sheet date and the dates on which the accounts were approved by the Committee, and which would therefore have a material bearing upon the financial statements or the conditions in existence as at the balance sheet date. It was noted that the Extended Chief Officers'

Management Team had considered the potential for any such items to exist, however no potential instances had been identified. In the interests of good corporate governance, Members were also asked to consider the existence of any potential post balance sheet events.

Once the audit work had been completed, a further report would come to the Committee reporting on any material changes made to the Statement of Accounts arising from the audit process (if required), together with the Committee's Letter of Representation to the auditor for approval.

Members recalled that, last year, the former Policy and Resources Committee had resolved that the full listing of revenue service income and expenditure could be replaced by a short section in the Explanatory Foreword in future years. It was noted, however, that this change had been deferred due to the need to make changes to mirror the new Committee structure and the staffing shortage currently being experienced in the Borough Treasurer's Department.

Resolved, "(i) That particulars of the report be noted on the minutes;

(ii) That approval be given for the Council's Statement of Accounts to be submitted to the external auditor; and

(iii) That it be confirmed that no 'post balance sheet events' were in existence that would need to be disclosed within the Statement of Accounts."

A18. Douglas War Memorial – Refurbishment

The Committee considered a written report by the Civil Engineering Technician seeking approval to proceed with the proposed refurbishment of the Douglas War Memorial.

It was noted that a select tender procedure had been carried out to progress the project. Four contractors had applied for inclusion on the select list, with three returning a price. Of these, the lowest tender returned was 35% below the pre-tender budget – it was noted that the contractor had confirmed the figure accordingly.

Cleaning, re-pointing, and re-gilding (where necessary) of the memorial was required to prevent any adverse effect on the structure through the ingress of water and salts into the open joints.

Resolved, "(i) That particulars of the report be noted on the minutes; and

(ii) That approval be given for the appointment of the contractor who had submitted the lowest tender to carry out the refurbishment project."

A19. Items for Future Report

The Committee considered a written report by the Chief Executive identifying those issues on which further reports had been requested or which were outstanding, so that Members and officers were aware of them and could monitor progress.

Resolved, "That particulars of the report be noted on the minutes and that it be considered and monitored at each meeting of the Executive Committee."

PART B –

Matters subject to Council approval

B20. Minutes and Referrals of the Housing and Property Advisory Committee

The Committee considered the minutes of the Housing and Property Advisory Committee meeting held on Wednesday 18th July 2012, including specifically those items referred to the Executive Committee as follows:

Clause B4 – Pulrose Development Phase 10 (Upper): approval was sought for an exception to the current Council policy, which stipulated gas as the preferred heating source, to enable the installation of a bio-mass heating system for the Pulrose development phase 10 (Upper). The Borough Engineer & Surveyor advised the Committee, notwithstanding the possible benefits of adopting bio-mass for this project, that the Council should continue to constantly review its energy management policies. He further reminded Members that the current financial arrangement on the cost per unit for energy from Manx Gas Ltd should also be noted. This was noted accordingly and Members agreed that the use of bio-mass for the proposed Pulrose Development Phase 10 (Upper) should only be approved as an exception to the Council's current policy.

Clause B5 – Lower Pulrose Road Adoption: it was noted that some repair and maintenance work now needed to be carried out on un-adopted sections of road and, for this to be undertaken by the Department of Infrastructure, the Department required the roads to be adopted. A one-off fee of £75,000 had been requested by the Department to enter into a retrospective road bond in respect of those sections of the estate which had been constructed at a time when the Department had not required local authorities to enter into formal road bond and adoption agreements. Authority was therefore sought for an amendment to be made to the Capital Programme to fund this payment, with further approval being required from the full Council for the submission of a borrowing petition.

Resolved, “(i) That particulars of the minutes of the Housing and Property Advisory Committee be noted;

(ii) That approval be given for the inclusion of a bio-mass heating system in Phase 10 of the Pulrose Development (Upper), but that this approval be on the basis that it was an exception to the current Council policy which stipulated gas as the preferred heating source;

[3 For. 1 Against. Mr Councillor E A Joyce requested his vote against resolution (ii) be recorded on the minutes.]

(iii) That approval be given for the Capital Programme to be amended to provide for funding for a one-off payment of £75,000 to the Department of Infrastructure in respect of a road bond and adoption agreement for the new sections of highway at Lower Pulrose (Phases 1, 2 and 3); and

(iv) That it be recommended to Council that approval be given for the Town Clerk and Chief Executive to be authorised to petition the Department of Social Care for borrowing powers in the sum of £75,000, this being the amount required to defray the cost of the road bond and adoption agreement for new sections of highway at Lower Pulrose (Phases 1, 2 and 3).”

B21. Standing Order 39 – Submission of Written Questions

The Committee considered a written report by the Assistant Town Clerk seeking to clarify the position with regard to the deadline for receipt of written questions for Council.

The revised Standing Orders, as adopted by the Council in May 2012, contained exactly the same provision as previous versions in respect of the submission of written questions by Council Members for answer at Council meetings, that being that submission was required by noon on the Friday preceding the Council meeting.

Under normal circumstances, a written question submitted to the Chief Executive by noon on the Friday before the Council meeting enabled immediate reference to the Member to whom it was addressed, and to officers charged with preparing information for response, with further work over the Monday and Tuesday of the following week if necessary. However, where there was a bank holiday on the Friday, that immediate attention could not be given.

It was noted that, in the current financial year, there had been two occasions when the Friday before Council had been a bank holiday and, on both occasions, a Member had submitted a question by email on the Friday. It was therefore recommended that the specified deadline be changed from ‘noon on the Friday preceding the date fixed for the meeting of Council to ‘noon on the last working day of the week preceding the date fixed for the Council meeting’.

The purpose of this proposed amendment was simply to make clear in the wording of the Standing Order when the deadline was, so that Members and officers were in no doubt, and also to allow officers sufficient time to be able to provide answers satisfactory to the Member asking the question and the Member delivering the response.

Members were advised that part of the difficulty encountered in the recent incidents had been that questions had been submitted electronically while the Town Hall was closed. Standing Orders, as written and adapted over the years, made no provision for electronic communication and it was therefore suggested that an examination be carried out as to whether Standing Orders could be adapted to govern electronic as well as written communications. This would apply throughout Standing Orders, and not just to Standing Order 39.

Resolved, “(i) That particulars of the report be noted on the minutes;

(ii) That it be recommended to Council that the first paragraph of Standing Order 39 ‘*Questions – Written*’, be amended to read as follows:

‘A member of the Council may submit a question in writing to the Chief Executive by noon on the last working day of the week preceding the date fixed for holding any ordinary meeting of the Council asking the Mayor or the Chairman of any Committee or a Lead Member for any portfolio any question on any matter in relation to which the Council has powers or duties, or which affects the Borough’;

(iii) That it also be recommended to Council that there be no other alteration to the remainder of the Standing Order at the present time, but that it be reviewed in common with all Standing Orders on a regular basis; and

(iv) That the Assistant Town Clerk be directed to report to the October 2012 meeting on the adaptation of Standing Orders to take electronic communication into account.”

VI(ii) – The Proceedings of the PENSIONS COMMITTEE as follows:

PENSIONS COMMITTEE

PENSIONS COMMITTEE – Minutes of Meeting held on Wednesday, 25th July, 2012.

Members Present: Mr. Councillor C.L.H. Cain (Chairman), the Mayor (from 11.55am to 2.35pm), Messrs Councillors C.C. Thomas (to 1.10pm), J. Joughin, R.H. McNicholl, A.V. Quirk.

In Attendance: Borough Treasurer, Assistant Chief Officer (Finance), Assistant Democratic Services Officer, Mr. John Hastings (Hymans Robertson, Items 1-11 only), Mr. Chris Moore – (BlackRock, Items 8-11 only), Mr. David Chatel – (BlackRock, Items 8-11 only).

REPORT

PART A –

Matters within the scope of the Committee's delegated authority

A1. Minutes – 23rd May 2012

The minutes of the meeting held on Wednesday, 23rd May, 2012, were approved and signed.

A2. Matters Arising – Minute 3 – Changes to the Isle of Man Local Government Superannuation Scheme 2012

The Borough Treasurer advised discussions had taken place with the Department of Infrastructure (Department) and the Chief Executive of the Public Sector Pensions Authority. This concluded with the Department deciding to approach the Government Actuary Department (GAD) in the UK to make appropriate alterations to actuarial factors which need adapting to be appropriate for the Isle of Man.

It was noted that the Borough Treasurer had received requests from members of the scheme to retire early from the scheme but without the appropriate actuarial factors these requests are currently unable to be processed.

In answer to question the Borough Treasurer confirmed that once action had been taken to rectify the issues it should only take a matter of weeks to have the information completely but there is a cost involved of employing GAD which at the moment it is not clear who is covering the costs. It was noted that under the regulations it is the Department that appoint the Scheme Actuary.

Resolved, "That the discussion be noted on the minutes and the Borough Treasurer continue to seek a resolution of the issue."

A3. Training – Active versus Passive Investment Management

Mr John Hastings of Hymans Robertson gave a training presentation on active versus passive investment management. The training presentation included a broad overview on the difference between active and passive management, efficient and inefficient markets, index types and the relevance to the Isle of Man Scheme.

Mr Hastings confirmed that the majority of IOMLGSS assets are managed actively and benchmarked against relevant indices.

During the presentation a Member queried if returns presented to the Committee included new money invested into the Scheme. Both the Borough Treasurer and Mr Hastings confirmed this was not correct. Although returns are money weighted, they only represent investment returns achieved from the underlying assets. It was noted that money is invested periodically when cash available in the bank account reaches a level in excess of the cashflow needed to make outgoing payments.

During the discussion a Member queried when a tender exercise for an investment manager had last been carried out. The Borough Treasurer confirmed the tender exercise had last been completed in 1998 and since the appointment of the investment manager, Hymans Robertson reviewed their appointment against other managers on an annual basis. In answer to a question, the Borough Treasurer confirmed the contract with BlackRock required a minimum notice to terminate the contract; this notice applied to both the Council and BlackRock. The Borough Treasurer agreed to circulate the notice period to all Members of the Committee.

A Member raised concern over the limit of 35% that can be invested in in-house funds. The Borough Treasurer confirmed discussions had taken place in the past regarding a change in the portfolio, and BlackRock had raised concerns regarding the size of the portfolio for them to operate a segregated fund, as they would not normally do this unless assets were greater than £50 million.

The Borough Treasurer informed that under regulations the Isle of Man Local Government Superannuation Scheme must employ an on island fund manager, as they must be regulated by the Isle of Man Financial Supervision Commission, and a number of the UK's larger fund managers do not have

an office on island. The Borough Treasurer agreed to discuss the possibility of changing the regulations during discussions with the Department whilst updating the Investment Regulations.

The Borough Treasurer suggested, in relation to the presentation, that the Isle of Man Local Government Superannuation Scheme continue to look at where passive management would be useful, but did not consider the Scheme should be 100% passively managed, in order to diversify the Fund.

Resolved, "That the presentation and discussion be noted on the minutes and the Borough Treasurer circulate the details from the fund manager contract to all Members of the Committee."

A4. **Attendance**

The Worshipful the Mayor joined the meeting at 11.55am during consideration of the previous item.

A5. **Quarterly Monitoring Reports**

Review of investment managers performance report from Hymans Robertson was not available to consider and will be circulated once completed.

A6. **Capital Market Services**

Mr Hastings presented a report on the quarter 3 update of Capital Market Services.

The report provided an overview of the market returns to 23rd July 2012 and demonstrated number of graphs on the Global Purchasing Managers Index (PMI), the Eurozone 10 year government bonds, annual Consumer Price Index (CPI) inflation, central bank ownership of government debt, a three month LIBOR-OIS spread, thirty year government bond yields, sterling investment-grade credit, US dollar credit, S&P 500 – price/earnings ratio and operation growth, global equities value, growth, small and large, UK property since 2010, commodity prices and real sterling exchange rates.

Mr Hastings explained each graph and finished by detailing possible actions through asset allocation.

Resolved, "That the report and discussion be noted on the minutes."

A7. **Request from Member**

A Member, who was unable to attend the afternoon session of the meeting, with the consent of the Chairman, opined a number of views in relation to agenda item 5, Isle of Man Local Government Superannuation Scheme and Accounts for the Year ended 31st March 2012 and agenda item 6, terms of reference for a governance review acknowledging the Council's role acting as Trustee of the Scheme (incorporating evaluation of Committee and advisors.)

The Member firstly discussed agenda item 5 in relation to the Isle of Man Superannuation Scheme and Accounts. The Member referred to the Accounts and Audit Regulations which stated the full Council, not the Pensions Committee, must approve the accounts prior to the 31st July 2012. The Borough Treasurer confirmed the former Department of Local Government and Environment had agreed the accounts could be agreed by a Committee rather than the Council and at a request from the auditors, the Superannuation Scheme accounts are considered by the Pensions Committee, which is sufficient for audit purposes. In answer to a question, the Borough Treasurer confirmed his signature as Responsible Financial Officer would be certifying the full statement of accounts.

The Member secondly made reference to two figures detailed in the summary of the investment fund manager's report. The summary stated a rise of 5.5% over the period, which outperformed the benchmark return of 5.2%, however, the performance of the Fund detailed overleaf in the report stated a 2.9% rise over the period against a benchmark return of 4.4%. The Member informed the Committee that their personal attempt at the calculation provided a different return of a 2.1% rise over the period. The Borough Treasurer agreed to confirm the correct figure during the lunch break.

The Member then went on to discuss agenda item 6, terms of reference for a Governance Review. The report recommended that Hymans Robertson be appointed to carry out the review of the Isle of Man Local Government Superannuation Scheme. The Member raised concern that as fund and actuary advisor, Hymans Robertson is not independent and therefore should not carry out the review. The Member made a second request that the Committee consider expanding the review specification to include;

- Whether the Investment Consultant and actuary roles should be split between different firms;
- Reviewing whether the Fund should be actively or passively managed;
- Discussions with the Department of Infrastructure;
- Discussions with other employing bodies; and
- Discussions with the Insurance and Pensions authority.

Resolved, "That particulars of the discussion be noted on the minute and considered during the relevant agenda item."

A8. **Adjournment and Resumption**

The Committee adjourned at 1.10pm and resumed at 2.10pm.

Mr Councillor C.C. Thomas submitted his apologies for the remainder of the meeting.

Mr David Chatel and Mr Chris Moore, representing BlackRock, joined the meeting.

A9. **Investment Managers Presentation by BlackRock**

Mr Moore presented the investment managers' report on performance in the second quarter of 2012. The end of quarter 2 was valued at £43,006,219, the value on the evening prior to the meeting was £42,900,000 a 0.25% decrease.

The market was volatile during the second quarter, Mr Moore discussed the index performance, Europe and Emerging Markets were the worst performers and long dated gilts and all stocks gilt were the top performers.

The fund underperformed the benchmark by 0.2% in quarter 2; the fund was underweight in fixed income and overweight in emerging market equities. The scheme since inception had outperformed the benchmark by 0.3% however over a 5 year period the fund has underperformed 0.9%, it was noted that 0.6% of the underperformance was directly related to the property exposure loss.

Mr Moore explained the performance attribution and portfolio positioning during quarter 2, in answer to question Mr Moore confirmed that 24% of ETF's are being managed passively. It was agreed that a further report expected to be circulated early next week will better demonstrate passive management related to the fund.

Mr Moore went on to discuss change in asset allocation, UK equity performance, UK equity portfolio 3 month contributions and transactions, UK equity risk summary, the property fund performance and property sector spread.

Members noted the opportunity for the BlackRock Property Fund to acquire RREEF UK Core Property Fund; it is hoped the transaction will be complete in quarter 4. Members were provided with a number of advantages in relation to buying the franchise.

The UK real estate was summarised followed by an overview of the market outlook.

Resolved, "That particulars of the report and discussion be noted on the minutes."

A10. **Attendance**

The Worshipful the Mayor left the meeting at 2.35pm.

A11. **Date and time of future meetings**

The Committee considered a report submitted by the Assistant Democratic Services Officer on the date and time of future meetings.

Members noted an amendment to Standing Order 90, in relation to meetings of the Committee, which was revised to read that the Pensions Committee would meet on the second Wednesday after Council, rather than the last Wednesday of the month at a later time of 11.00am. For a number of meetings the date remains unchanged but the amendment removes the issue of meetings taking place during TT practice week.

Members were asked to approve the reschedule of October's Committee meeting to the last Wednesday of the month for one occasion due to travel already being arranged for Capita Hartshead to attend the meeting.

Resolved, "That particulars of the report be noted on the minutes and;

- (i) The amendment to Standing Order 90 be noted;
- (ii) The October meeting in relation to Pensions Administration be rescheduled to take place on Wednesday, 30th October, 2012."

Mr David Chatel and Mr Chris Moore of BlackRock and Mr John Hastings of Hymans Robertson were thanked for their attendance and left the meeting.

A12. **Isle of Man Local Government Superannuation Scheme Annual Report and Accounts for the Year Ended 31st March 2012**

The Committee considered a report submitted by the Assistant Chief Officer (Finance) to approve the accounts for the Isle of Man Local Government Superannuation Scheme.

The Borough Treasurer confirmed that page 11 and subsequently page 12, as raised by a Member, detailed incorrect figures in the narrative of the investment fund manager's report. Page 13, detailing the performance of the fund, did in fact display the correct figures that should have been quoted in the summary of pages 11 and 12. The sentence should read *'This equates to a rise of 2.9% over the period*

which underperformed the benchmark return of 4.4%. Subsequently the figures 5.5% and 5.2% detailed in page 12 require amending to read 2.9% and 4.4% respectively.

Members raised concern over the incorrect figures detailed in the document and agreed that all figures within the document should be rechecked before the Committee approves the report and accounts.

Resolved, "That particulars of the report and discussion be noted on the minutes and

- (i) The Isle of Man Local Government Superannuation Scheme Annual Report and Accounts for the year ended 31st March 2012 be deferred pending additional checks from the consultants to ensure all figures detailed are correct.
- (ii) The investment fund manager's summary be amended to read *'This equates to a rise of 2.9% over a period which underperformed the benchmark return of 4.4%.'* and that the figures 5.5% and 5.2% detailed in page 13 be amended to read 2.9% and 4.4% respectively.
- (iii) A special meeting be held on Monday, 30th July, 2012, at 3.00pm, in the Committee Room at the Town Hall to consider the amended Isle of Man Local Government Superannuation Scheme Annual Report and Accounts for year ended 31st March, 2012."

A13. Terms of Reference for a Governance Review Acknowledging the Council's Role acting as Trustee of the Scheme (Incorporating Evaluation of Committee and Advisors)

The Committee considered a report submitted by the Borough Treasurer to review the work of those involved in the decision making for the Isle of Man Local Government Superannuation Scheme by way of a Review of Governance. It was noted this item was deferred at the last meeting of the Committee.

Hymans Robertson provided terms of reference for a review to identify where the Isle of Man Local Government Superannuation Scheme is demonstrating good governance and areas where there is room for improvement. A list of bullet points detailed areas of which strategic analysis would be carried out.

Members agreed that, although Hymans Robertson offered to provide a member of staff independent from their actuary and investment departments to complete the review, they are not completely independent.

Members requested the remit be expanded and be brought back to Committee for approval.

There was some discussion as to how the opportunity to review the scheme would be advertised to external organisations. Members named a number of companies that could be interested in providing the review and the Government's on island investment advisor was also suggested.

Members discussed the request from a Member to involve the relevant Government Department and local employers and the Insurance Pensions Authority (IPA) in the review and agreed that discussing with one employer could be useful but it would not be necessary to involve the Government Department or IPA in the review.

Members discussed the suggestion to include a review of passive management of the Fund however this would be under review through the work resulting for next year's valuation.

Resolved, "That particulars of the report and discussion be noted on the minutes and;

- (i) That a Governance Review be carried out on the Isle of Man Local Government Superannuation Scheme;
- (ii) That the Borough Treasurer seek an independent organisation to carry out the review;
- (iii) The remit of the review be expanded and be brought back to Committee for approval."

A14. Items For Future Report

The Committee considered a report submitted by the Borough Treasurer setting out items that are to be considered at future meetings and to review any future training requirements. Where there has been a delay in reporting, the reason for this is outlined.

Resolved, "That particulars of the report be noted on the minutes."

PART B -

Matters requiring Council approval

There were no matters requiring Council approval.

The Committee rose at 4.26pm.

PENSIONS COMMITTEE

PENSIONS COMMITTEE – Minutes of Special Meeting held on Monday, 30th July, 2012.

Members Present: Mr. Councillor C.L.H. Cain (Chairman), the Mayor, Messrs Councillors J. Joughin, A.V. Quirk.

Apologies: Messrs Councillors C.C. Thomas. R.H. McNicholl.

In Attendance: Borough Treasurer, Assistant Democratic Services Officer.

REPORT

PART A –

Matters within the scope of the Committee's delegated authority

A1. Isle of Man Local Government Superannuation Scheme Report and Accounts for the Year ended 31st March 2012

The Committee considered a report submitted by the Borough Treasurer on the updated Isle of Man Local Government Superannuation Scheme Report and Accounts for the year ended 31st March 2012. This item was deferred at the last meeting of the Committee due to incorrect figures being provided in the investment fund manager's report, Members felt the accounts required additional checks before being approved.

Members noted that following the Committee decision to defer the accounts pending additional checks from consultants the Borough Treasurer's department thoroughly checked the document and found a small number of typographical errors and an item incorrectly classified in the notes. Capita were notified of the errors and were instructed to amend the document and liaise with both BlackRock and Hymans Robertson regarding the figures they had provided. It had become apparent that both BlackRock and Hymans Robertson had not been issued with a draft copy of the report to check before finalisation. The Borough Treasurer expressed his dissatisfaction and concern that neither of the organisations had seen the document before it was presented to him for signing.

Capita, BlackRock and Hymans Robertson had the opportunity to check the accounts and identified further typographical and grammatical errors together with changes in classification on the investment notes. The Borough Treasurer talked Members through the issues which had now been amended and circulated to the Committee.

Mr Mark Freeman, of Hymans Robertson, was out of office until the morning of today's meeting (30th July) and had one final amendment to the updated accounts that had not been amended in advance of the meeting. Members noted that the second sentence of the third paragraph of page 22 should read 'underperformed the benchmark' not 'broadly performed in line with the benchmark.'

BlackRock had apologised for providing an incorrect figure to Capita Hartshead but did raise concern that they had not been given the chance to check a draft or the final version of the document. They also pointed out that there had been some interpretation within the accounts and from relevant background information provided. It was suggested that had the consultants seen a copy of the report and accounts these issues would have been picked up at an earlier stage.

The Borough Treasurer informed that the accounts had also been provided to the external auditor and a letter informing them of the corrections will be sent out.

The Borough Treasurer confirmed that he had signed the updated report and accounts and was confident they were now correct following vigorous checks in house and from all consultants. In future it was confirmed that additional checks from all consultants and Council Officers will be required by the Borough Treasurer.

A Member of the Committee, unable to attend the meeting, had e-mailed comments to be considered by the Committee.

The Member expressed concern that the Council should be approving the report and accounts, as administering authority, not the Pensions Committee, the Borough Treasurer referred to the Accounts and Audit Regulations, paragraph 10. The Borough Treasurer confirmed the former Department of Local Government and Environment had agreed the accounts could be agreed by a Committee rather than the Council. Following this being questioned the Borough Treasurer had discussed this with the Department of Infrastructure who considered a Committee sufficient for the purpose of paragraph 10 of the Accounts and Audit Regulations but agreed to have this decision reconfirmed in writing.

The Member also suggested that the investment return, following his own calculations, was less than stated in the report. The calculation that the Member had used to arrive at the figure was however not the time weighted calculation used by BlackRock. The Borough Treasurer does not have the

information available to calculate this figure and the calculation is not straightforward and uses computerised records, a simplified version of this calculation was set out in the report however the Borough Treasurer agreed that further details would be circulated due to the interest shown in this calculation. The document had been rechecked by BlackRock who agreed the updated document.

The Borough Treasurer confirmed a letter will be sent to the Finance Director of Capita Hartshead to alert the Finance Director to the problems. The Borough Treasurer also confirmed that some errors should have been picked up in the Borough Treasurer's Department, but others, particularly BlackRock's figures are not straight forward calculations and this information is not available to the Borough Treasurer to check so must be verified by the consultants.

Members expressed dissatisfaction at the underperforming actively managed fund and requested an item be included on the next agenda to discuss the underperformance. It was also agreed to review the Isle of Man Post Office scheme for comparison.

Resolved, "That particulars of the report and discussion be noted on the minutes and

- (i) The first paragraph of page 22 be amended to read 'underperformed the benchmark' not 'broadly performed in line with the benchmark.'
- (ii) The Isle of Man Local Government Superannuation Scheme Annual Report and Accounts for the year ended 31st March 2012, as amended, be approved;
- (iii) Mr Councillor C.C. Thomas's comments be noted on the minutes."

The Committee rose at 4.02pm.

VII(i) – The Proceedings of the HOUSING AND PROPERTY ADVISORY COMMITTEE as follows:

HOUSING AND PROPERTY ADVISORY COMMITTEE

HOUSING AND PROPERTY ADVISORY COMMITTEE – Minutes of Meeting held on Wednesday, 18th July, 2012.

Members Present: Mr. Councillor J.E. Skinner (Vice-Chairman), the Mayor, Messrs Councillors J. Joughin, S.C. Cain.

Apologies: Councillor Mesdames C.E. Malarkey, K. Angela.

In Attendance: Assistant Town Clerk, Senior Accountancy Officer, Assistant Chief Officer (Housing and Property), Assistant Chief Officer (Corporate and Development), Democratic Services Officer.

REPORT

PART A –

Matters within the scope of the Advisory Committee's delegated authority

A1. Minutes 20th June, 2012

The minutes of the meeting held Wednesday, 16th May, 2012 were approved and signed.

A2. Matters for Future Consideration

The Committee discussed matters requiring a report for future consideration

Resolved, "That the discussion be noted on the minutes."

PART B –

Matters requiring Executive Committee Approval

B3. Pulrose Development Phase 10 (Upper)

The Committee considered a further report on the use of a bio-mass heating system for the Pulrose Development Phase 10. Following the June meeting, members of the Advisory Committee visited Reayrt-y-Chrink sheltered complex in Port Erin and Thie Slieau Whallian in St Johns, the headquarters of the Department of Food, Agriculture and the Environment. Both of these buildings are heated by boilers fuelled by bio-mass. Attached to the report was an extract from the Design team's Stage 3 report which specifically compared installation of a central boiler that is fuelled by gas with a central boiler that is fuelled by bio-mass plus a back-up gas boiler. The review included details of projected costs, both annually and over a forty year period. The projected maintenance and installation costs are higher for bio-mass than for gas, but the running costs would be substantially lower and more sustainable as the fuel would be sourced on-Island. It was noted that this would place extra costs onto the restricted housing maintenance budget. However, it is understood that the Government is actively reviewing the housing rental pointing system which could positively impact on future housing maintenance budgets.

During discussion of the redevelopment of Upper Pulrose (of which this scheme forms a part), there was some discussion of the allocation of the new properties. It was reaffirmed that tenants in the Upper Pulrose Outer Ring should be given priority when the new properties are allocated.

Resolved, "That particulars of the report be noted on the minutes and approval be given for inclusion of a bio-mass heating system in Phase 10 of the Pulrose Development (Upper) and that this resolution be referred to the Executive Committee for approval of an exception to the current Council policy which stipulates gas as the preferred heating source."

B4. Lower Pulrose Road Adoption

The Committee considered a report on the adoption of roads in the Lower Pulrose estate by the Department of Infrastructure. The Assistant Chief Officer (Housing and Property) reported that there has been some uncertainty about the adoption status of roads in Phases 1, 2, and 3 of the Lower Pulrose Estate. Most of the roads within this Estate are resurfaced original roads and so are already adopted. However, these early phases of the development also contain new sections of highway which were not resurfaced roads and were not subject to formal road bond and adoption agreements. Normally cost of any road agreements would be included as part of the capital scheme when building or re-building a housing estate and the roads would be adopted at the end of the project. When those sections of the estate were constructed, the Department of Transport had a policy not to require local authorities to enter into formal road bond and adoption agreements. If the road bond and adoption agreements had

been entered into at the time, then the fee would have been approximately £60,000. A plan of the Estate showing the adopted and un-adopted roads was circulated to the Committee.

Some repair and maintenance work now needs to be carried out on the un-adopted sections of road, and in order for this to be undertaken by the Department of Infrastructure, the roads need to be adopted. The Department of Infrastructure has requested a one-off fee of £75,000 to enter into the retrospective road bond and adoption agreement. This payment would be funded by capital borrowing with the loan taken out over thirty years. The estimated total amount payable would be £140,740.80; estimated annual payments would be £4,691.36; and the estimated total interest paid would be £65,740.80.

It was noted that this report would require both approval from the Executive Committee (for amendment of the capital programme) and from the full Council (for authorisation of submission of a borrowing petition).

Resolved, "That particulars of the report be noted on the minutes and

- (i) approval is given to the payment of a one-off fee in the sum of £75,000 to the Department of Infrastructure for a road bond and adoption agreement for the new sections of highway at Lower Pulrose, Phases 1, 2, and 3; and
- (ii) approval is given for this report to be referred to the Executive Committee for amendment of the Capital Programme; and
- (iii) approval is given for the Town Clerk and Chief Executive to be authorised to petition the Department of Social Care for borrowing powers in the sum of £75,000 being the amount required to defray the cost of the road bond and adoption agreement for new sections of highway at Lower Pulrose Phases 1, 2, and 3; and
- (iv) approval is given for the Department to be advised that an assessment of the Council's housing reserve fund has been undertaken to establish whether sufficient monies were available to fund the proposed scheme via that source."

PART C – PUBLIC

Matters requiring Council Approval

C5. Kitchen Framework Agreement – Anagh Coar Estate Phase 4

The Committee re-considered a report on the tender received from Cedar Developments Limited, being the approved contractor for the Kitchen Framework Agreement in Douglas. The report had been approved by the Advisory Committee at the June meeting, but was turned down with the rest of the minutes from the Advisory Committee by Council at the July meeting. No recommendations had been made by Council for changes to the scheme, nor had major concerns been aired during the debate.

Resolved, "That this Committee reaffirms its previous decision to accept the tender submitted by the appointed contractor under the Kitchen Framework Agreement, Cedar Developments Limited, being within the previously accepted rates and good value for money."

Further resolved, "That the Town Clerk and Chief Executive be authorised to petition the Department of Social Care for borrowing powers in the sum of £400,155.49, being the amount required to defray the cost of the Phase 4, Anagh Coar Estate Kitchen Replacement works."

Further resolved, "That the Department of Social Care be advised that an assessment of the Council's housing reserve funds had been undertaken to establish if sufficient monies were available to fund the proposed scheme via that source."

C6. Willaston External Refurbishment Pilot Scheme

The Committee considered a report on the Willaston external refurbishment pilot scheme. This project is a pilot scheme to refurbish the external fabric of six properties in Willaston with a view to identifying the best methods and materials to be used providing the best value for money on future phases of work. The project is being carried out by a two-stage tendering procedure. Auldyn Construction Ltd's 'Stage A' tender was received and approved by the Public Health and Housing Committee on 26th March, 2012. Auldyn Construction Ltd has been invited to submit their 'Stage B' tender for the scheme in accordance with the finalised design development. The tender will be received between the dates of the July Advisory Committee meeting and the August Council. In order to ensure that the work starts as soon as possible to achieve completion in March 2013, it was agreed that the Chairman and Vice-Chairman could be authorised to open and accept the Stage B tender, subject to it being within the pre-tender construction budget. The Committee agreed that the figures should be circulated in writing to all Members of Council prior to the August meeting and formally reported back to the Committee at the September meeting.

Resolved, "That particulars of the report be noted on the minutes and approval be given for the Chairman and Vice-Chairman to be authorised to open and accept the Stage B tender return, subject to it not exceeding the pre-tender construction budget."

Further resolved, "That the Town Clerk and Chief Executive be authorised to petition the Department of Social Care for borrowing powers not to exceed the sum of £301,067.00, being the pre-tender capital budgeted amount required to defray the cost of the Willaston External Refurbishment Pilot Scheme works."

Further resolved, "That the Department of Social Care be advised that an assessment of the Council's housing reserve funds had been undertaken to establish if sufficient monies were available to fund the proposed scheme via that source."

The meeting ended at 12.45pm.

VII(ii) – The proceedings of the REGENERATION AND COMMUNITY ADVISORY COMMITTEE as follows:

REGENERATION AND COMMUNITY ADVISORY COMMITTEE

REGENERATION AND COMMUNITY ADVISORY COMMITTEE – Minutes of meeting held on Tuesday, 17th July, 2012.

Members Present: Mr. Councillor S.R. Pitts (Lead Member), the Mayor, Councillor Mrs. R. Chatel (from 10.33am), Mr. Councillor G.J. Faragher, Councillor Miss D.A.M. Pitts.

Apologies: Mr. Councillor W.M. Malarkey.

In Attendance: Assistant Chief Executive, Assistant Town Clerk, Assistant Chief Officer (Finance), Assistant Borough Engineer, Head of Parks, Assistant Democratic Services Officer, Assistant Chief Officer (Housing and Property) (Item A10 only).

REPORT

PART A -

Matters within the scope of the Advisory Committee's delegated authority

A1. Minutes – 19th June 2012

Minutes of meeting held on Tuesday, 19th June, 2012 were approved and signed.

A2. Matters Arising – Donkey Fields

A Member requested the change in use in principle to the Donkey Fields site be reconsidered and the area continues to be zoned as woodland and open space.

Resolved, "That Officers research the feasibility of transforming the site opposite Lheannag Park, known as the donkey fields, to a woodland area with indigenous plants in association with local environmental charities. In researching this option the original decision to prepare an in house feasibility study on the land only relate to keeping the area in its original zoning and a planning consent to change the use of the land in principle not be sought."

A3. Attendance

Councillor Mrs R. Chatel joined the meeting at 10:33am during consideration of the previous item.

A4. MGP Races 2012 – Use of Rear of Grandstand, Paddock and playing fields areas of Noble's Park for the 2012 MGP Races

The Committee considered a report submitted by the Assistant Chief Executive seeking approval to a one-off agreement for the use of the rear of the grandstand, paddock together with the playing fields at Noble's Park for Manx Grand Prix purposes and car parking for the period of the 2012 Manx Grand Prix Races at the request of the Department of Economic Development.

During consideration of this item Members were reminded that the Department of Economic Development (DED) had hoped to progress a long-term user agreement for the motorsport areas at the rear of the grandstand in Noble's Park and the playing fields during TT, MGP and motorsport periods. It was noted that the long term user agreement was at a point of signature prior to the 2012 TT Races but the DED asked to include an additional clause in relation to limiting the use of the playing fields for competitive retail, trade and hospitality purposes. The DED has requested the Council would not support retail and hospitality activities in competition with the Department's income-generating operations.

Members raised concerns over this additional clause and did not agree with the statement that any retail or hospitality be limited to Department led ventures. The Assistant Chief Executive confirmed an additional report will be submitted to the Committee to deal with this request.

A Member suggested that retail units are directly approaching the Council to hire an area of the playing fields as the DED are charging increasingly high fees to hire a pitch, Members requested a copy of the Department's schedule of charges.

Resolved, "That the Department of Economic Development be authorised to use the rear of the grandstand, paddock and playing fields at Noble's Park for the purpose of the Manx Grand Prix Races including car parking for the period of the 2012 MGP Races."

A5. MGP Races 2012 – Use of an area of Noble’s Park Playing Fields for Crossan Motorcycles Limited Retail Unit

The Committee considered a report by the Assistant Chief Executive requesting approval for Crossan Motorcycles Limited to place a small retail unit in the playing fields area of Noble’s Park for a hire fee for the period of the 2012 Manx Grand Prix (MGP) Races.

It was noted that Crossan Motorcycles has, for a number of years, placed a retail unit in the playing fields area of Noble’s Park renting it initially from the Department of Economic Development and more recently directly from the Council.

Crossan have stated they intend to bring a small unit to be placed in the northern playing field adjacent to Glencrutchery Road. In answer to question the Assistant Chief Executive confirmed subletting is not permitted. Crossan had offered a rental increase of £150 on the fee charged for the 2011 MGP.

Resolved, “That particulars of the report be noted on the minutes and Crossan Motorcycles Limited be permitted to place a small retail unit in the playing fields area of Noble’s Park for the period of the 2012 Manx Grand Prix.”

A6. Summer Reading Challenge 2012/Horse Tram Promotional Initiative – Two Chairman Procedure

The Committee noted a two Chairman procedure in relation to fifty free return tickets on the horse trams being made available for children who attended the ‘Summer Reading Challenge 2012 Horse Tram Event’ on 25th July, 2012 at Henry Bloom Noble Library.

Resolved, “That the two Chairman procedure, authorising fifty free return tickets on the horse trams being made available for children who attended the Summer Reading Challenge 2012, be noted on the minutes.”

A7. 2012 Fireworks Display

The Committee considered a report by the Assistant Town Clerk seeking guidance on the format of the 2012 Fireworks Display event.

The Council has already approved in principle the promotion of a Fireworks display on Saturday, 3rd November, 2012. In 2011 the tide times were not favourable and the display was fired off a barge in the bay, which entailed some changes and additional costs. It is recommended that the 2012 event revert back to the 2010 format to be fired from the foreshore.

It was noted that a sound system is essential for the music to accompany the display and for announcements. Members discussed the need for a quality sound system at all three upcoming events, namely the Fireworks Display, Remembrance Sunday and the Christmas Lights Ceremony. In previous years 3FM, the provider of publicity and compere for the event, has provided the sound system for two of the events at an additional cost sourced from a third party company. Members unanimously agreed to place an advert in the paper for a Select Tender list to provide a suitable sound system and/or staging for all three events. It was agreed for future events tenders would be sought from those companies on the Select Tender List.

Members made reference to the engagement of Event Management Solutions Limited to oversee the event, predominately engaged to oversee the health and safety aspects. It was agreed that the newly appointed Health and Safety Officer work closely with Event Management Solutions Limited for both the 2012 Fireworks Display and Christmas Lights Ceremony and in future years the Council’s Health and Safety Officer oversee health and safety aspects of the event.

The Mayor informed Members that Alliance and Leicester have agreed to provide glow sticks at the Firework Display to be sold in aid of the Mayor’s charity. In previous years there has been issues with the Mayor’s charity, Young Enterprise and third trader selling glow sticks on the evening. It was agreed that the Mayor’s Charity will be authorised to trade glow sticks on the evening and Young Enterprise be the sole trader for glow sticks on the evening of the Christmas Lights Ceremony.

It was noted a performance will take place at the Gaiety Theatre on the same evening as the display and it is hoped the time of the show can be worked around the time of the display.

Members requested a copy of 3FM’s publicity package for the event.

Resolved, “That particulars of the report and discussion be noted on the minutes and the following be approved:-

- (i) Merlin Fireworks provide a display to take place on Saturday, 3rd November, 2012;
- (ii) The display be fired from the foreshore opposite Clarence Terrace and the Esplanade;
- (iii) Sponsorship from Celton Manx be accepted and directed towards the enhancement of the entertainment and the involvement of 3FM Radio be approved to provide publicity and compere for the event, and to provide music to accompany the display;

- (iv) A bonfire be provided as part of the event;
- (v) A maximum of five mobile catering units be permitted, to operate within the area of the War Memorial;
- (vi) The appropriate traffic orders be applied for to close the southbound lane of Harris Promenade between Broadway and the War Memorial, and to suspend the cycleway during preparation and running of the event;
- (vii) Event Management Solutions Ltd. be engaged to oversee the event, particularly in relation to Health and Safety, and the Council's Health and Safety Officer work closely with the organisation in order to oversee the health and safety aspect of future Council events;
- (viii) The Police be consulted in relation to the event and the peripheral effects such as traffic congestion in the Douglas Head and Onchan Head areas;
- (ix) That an advert be placed in the local paper seeking suppliers for a Select Tender List to supply a suitable sound system and/or staging for all three Council events, namely, the Fireworks Display, Remembrance Sunday and Christmas Lights Ceremony, and the selected companies be invited to tender in future years to supply a sound system and/or staging.
- (x) The Mayor's charity be the sole trader authorised to provide glow sticks at the Fireworks Display and Young Enterprise be the sole trader authorised to sell glow sticks at the Christmas Lights Ceremony."

A8. Remembrance Sunday 2012

The Committee considered a report submitted by the Assistant Town Clerk seeking approval to arrangements for the annual Remembrance Sunday event to take place on 11th November 2012.

It was noted the format is as follows;

Parade from Legion Club at 9:30a.m;

Church Service at St. Thomas' Church commencing 10:00a.m;

Parade from St. Thomas' Church to War Memorial at 10:45a.m;

Observance of 2 minutes silence at the War Memorial at 11:00a.m. followed by wreath laying;

Parade from War Memorial to Manx Legion Club at 11:15a.m. and tea and coffee at St. Thomas' Church.

It was noted that the traditional maroons for marking the two minutes' silence are no longer available and will be replaced by devices to be provided by Merlin Fireworks. Staff will be trained as necessary in their operation.

The Mayor made reference to a previous decision originating from the Policy and Resources Committee that a donation be made to St. Thomas' Church to cover the cost of refreshments provided.

Resolved, "That particulars of the report be noted on the minutes and arrangements be put in hand for the Annual Remembrance Sunday Service in 2012 based on those of 2011."

Further resolved, "That an invitation to attend be sent to His Excellency the Lieutenant Governor."

A9. Christmas Lights Ceremony 2012

The Committee considered a report submitted by the Assistant Town Clerk seeking Committee approval to progress arrangements for the 2012 Christmas Lights Ceremony.

It was recommended that the ceremony take place on Thursday, 29th November, 2012, however it was realised the event was previously agreed to take place on Thursday, 22nd November, 2012. Members agreed to organise the event one week earlier on the 22nd November to allow five late night Thursday shopping opportunities for traders.

Members agreed Young Enterprise be authorised to sell glow sticks on the evening and other providers of glow sticks not be permitted to sell or donate glow sticks on the evening.

As previously agreed a Select Tender List will be compiled to provide a sound system and/or stage for the ceremony.

Resolved, "That particulars of the report and discussion be noted on the minutes and the following be approved:-

- (i) The Christmas Lights Ceremony take place on Thursday, 22nd November, 2012;

For: 3 Against: 1

Mr Councillor G.J. Faragher requested his name be recorded as voting against the resolution.

- (ii) Officers be authorised to seek road closures of Ridgeway Street and Prospect Hill from 6:00p.m. until 10:00p.m. for the event;

For: 3 Against: 1

Mr Councillor G.J. Faragher requested his name be recorded as voting against the resolution.

- (iii) That the ceremony follow the pattern of 2011; with staging outside the Town Hall entrance;

For: 3 Against: 1

Mr Councillor G.J. Faragher requested his name be recorded as voting against the resolution.

- (iv) That the Borough Engineer and Surveyor be nominated the Event Organiser and that Event Management Solutions Ltd be engaged to oversee arrangements for the event, particularly health and safety;

For: 3 Against: 1

Mr Councillor G.J. Faragher requested his name be recorded as voting against the resolution.

- (v) That the Council's Health and Safety Officer work closely with Event Management Solutions Ltd in order to oversee the health and safety aspect of future Council events;

For: 3 Against: 1

Mr Councillor G.J. Faragher requested his name be recorded as voting against the resolution.

- (vi) Douglas Town Band be invited to play carols;

For: 3 Against: 1

Mr Councillor G.J. Faragher requested his name be recorded as voting against the resolution.

- (vii) The Manx Operatic Society be invited to provide pantomime entertainment;

For: 3 Against: 1

Mr Councillor G.J. Faragher requested his name be recorded as voting against the resolution.

- (viii) A Santa's Grotto be place in the garden at Lord Street/Ridgeway Street junction, with the Douglas Rotary Club invited to provide Santa;

For: 3 Against: 1

Mr Councillor G.J. Faragher requested his name be recorded as voting against the resolution.

- (ix) Sponsorship from Celton Manx be accepted and directed towards enhancement of the entertainment and that the involvement of 3FM be approved, subject to 3FM taking direction from Officers as to compering and stage management of the event;

For: 3 Against: 1

Mr Councillor G.J. Faragher requested his name be recorded as voting against the resolution.

- (x) That a limited number of catering units be invited to attend at a fee of £25.00 each;

For: 2 Against: 2

The Chairman exercised his casting vote for the motion and the motion was carried.

Mr Councillor G.J. Faragher requested his name be recorded as voting against the resolution.

- (xi) Should any Young Enterprise group apply for permission to sell items to raise funds it be granted to the first such group to apply, the opportunity to raise funds on the evening lie solely with Young Enterprise and no other companies or charities sell glow sticks or similar items to raise funds.

For: 3 Against: 1

Mr Councillor G.J. Faragher requested his name be recorded as voting against the resolution.

- (xii) Officers proceed with the above items, and report back to Committee on the costs and any enhancement proposed for the ceremony, the site layout and entertainment."

For: 3 Against: 1

Mr Councillor G.J. Faragher requested his name be recorded as voting against the resolution.

A10. Noble's Park Kiosk Bowling Green Number 1 – Clubhouse, Kiosk and Toilets

The Assistant Chief Officer (Housing and Property) joined the meeting at 11:25am, during consideration of a previous item, to discuss the Noble's Park Bowling Green Kiosk Number 1 Clubhouse, Kiosk and toilets.

The Committee considered a report submitted by the Property Maintenance Officer on the Noble's Park Bowling Green Number 1 Clubhouse, Kiosk and toilets.

At a previous meeting of the Regeneration and Community Advisory Committee Members resolved quotations be obtained for the following elements of the building, reroofing (reusing existing rosemary tiles where possible), replacement windows and doors in PVCu, rewiring as appropriate, repainting internally and replacement/recovering the flat roof in fibre glass. It was noted due to time constraints it was not possible to produce a full specification of the works and therefore each contractor was requested to include the scope of the works as part of their quotation submitted.

Members were presented with a list of contractors and the quotation results, the cost to replace windows and doors in PVCu and repaint internally, subject to full evaluation, was quoted at £11,628. No quotations were received for the reroofing, rewiring and the replacement/recovering of the flat roof in fibre glass.

The full cost to complete the works is unknown at present, it was noted that there is a budget for the demolition of the building in the 2012/2013 estimates.

Members agreed the works were required on the building and hoped that following the Council's agreement to spend funds on the building the bowling club would consider agreeing to a full repair lease.

In answer to question the Assistant Chief Officer (Housing and Property) explained the original costs presented to the Committee were considerably higher than those submitted by the bowling club as the original costs were either to demolish and rebuild the building or for a full refurbishment. Members were presented with a mandate detailing the extensive work that is required for a full refurbishment.

Mr David Quayle, Donald Quayle, and John Marsden, Chairman, Treasurer and Secretary of the Noble's Park Bowling Club, joined the meeting at 12:10pm.

Members suggested the possibility of the bowling club agreeing to a full repair lease for the building; Mr David Quayle confirmed that this would be difficult due to the annual change in membership. Members noted the bowling club currently has thirty one playing members and two/three non-playing members, there has been an annual decrease in the number of members.

Members informed if the Council agree to spend money refurbishing elements of the building the bowling club will be expected to agree to a new tenancy agreement with additional responsibilities being delegated to the club, the club requested to be approached in writing and agreed to consider all options.

During discussions the bowling club representatives informed the automatic sprinklers are not working correctly and require some work.

The Chairman thanked Mr David Quayle, Donald Quayle and John Marsden for their attendance and they left the meeting.

Following a request from the bowling club it was agreed the Notice to Quit would be held in abeyance whilst the future of the clubhouse was being considered.

In relation to the electrical supply Members agreed the clubhouse and kiosk should be separately metered from the toilets for billing purposes. Members agreed the bowling club and kiosk would be combined under the new lease.

Members asked for clarity on the life expectancy of the building after the work is complete. The Assistant Chief Officer (Housing and Property) agreed to provide this information in the tender report.

Resolved, "That particulars of the report and discussion be noted on the minutes and the following be approved:-

- (i) A full refurbishment not be approved as contained in appendix A and instead specification be prepared and tenders be sought for reroofing the building, replacing the windows and doors in PVCu, rewiring the building, repainting internally and replacing/recovering the flat roof in fibreglass, using in-house resources, in approving this the Committee noted this process will take at least four months;
- (ii) The Committee approves the appointment of a planning supervisor to comply with the Construction (Design and Management) Regulations, at a fee based on 1.5% of the total cost of the works plus VAT;
- (iii) The Committee approves the engagement of an asbestos surveyor to comply with the Control of Asbestos Regulations 2012, for a fee plus costs of analysis of samples and VAT;
- (iv) The Notice of Quit be held in abeyance whilst consideration for the future of the building is ongoing."

The Assistant Chief Officer (Housing and Property) was thanked for his attendance and left the meeting.

A11. Best Daffodil Competition

The Committee considered a report submitted by the Assistant Chief Executive, following a request from a Member, to consider holding a 'Best Daffodil Competition.'

It was noted the competition was last organised over ten years ago and that the Committee, through the Parks Section of the Council, supplied a pot, cane, bulb and soil to participants. The competition was open to all Douglas primary schools and Braddan school. There were various categories for the competition and best overall school won the Oxley Award, which trophy is still stored at Ballaughton Nurseries.

In answer to question the Head of Parks informed the cost for 1000 bulbs is approximately £75.00 and 1000 poly pots are estimated at £75.00.

It was suggested that local businesses or charities may be willing to provide prizes for the competition.

It was noted that October would be the ideal time to plant the daffodils

Resolved, "That particulars of the report and discussion be noted on the minutes and a 'Best Daffodil Competition' be organised and prizes and categories be organised for the competition."

A12. Agenda Review

The Committee reviewed the Agenda and determined all items to be considered public.

PART B -

Matters requiring Executive Committee Approval

B13. Children's Party Bookings – Horsetram Hire and Strathallan Suite

The Committee considered a report by the Assistant Chief Executive, following enquiries by members of the public, for quotations for hire of a horsetram with a booking of Strathallan Suite for children's parties.

It was noted the current standard rate for Strathallan and horsetram hire is £288, £148 for the use of Strathallan and £140 for tram hire, feedback has proven that the current fee is prohibitive for bookings.

It was recommended that a fee of £60 be charged for a booking, £20 apportioned to the Strathallan Suite SP070 and £40 to the Horse Trams SL190. Members were concerned that the lower price for the Strathallan Suite could encourage members of the public to book the children's party offer and not use the horsetram element to gain a cheaper price for the hire of the Strathallan.

In answer to question the Assistant Borough Treasurer (Finance) confirmed the charity rate for Strathallan was £74.

The charge recommended would cover the Council's costs for provision of the services for children's parties. Opening and closing Strathallan would be covered by horsetram staff therefore the only additional cost would be for the cleaning the Strathallan Suite after the booking.

Resolved, "That particulars of the report be noted on the minutes and that subject to concurrence by the Executive Committee a fee of £75 be charged for hire of a horsetram with a booking of Strathallan Suite for children's parties, with the income being apportioned £20.00 to the Strathallan Suite SP070 and £55.00 to the Horse Tramways SL190."

For: 3 Against: 1

B14. The Promotion of Downloadable eBook and Audiobook Service to Local Authorities Island-wide

The Committee considered a report submitted by the Borough Librarian suggesting a promotion of the downloadable eBooks and audiobook service to local authorities Island-wide to increase the number of users taking advantage of the service.

Douglas Borough Council has a three year contract with OverDrive, an eBook service provider, for three years at an agreed cost per annum. The contract is based on the population figure of the whole Island so whether all local authorities chose to pay into it, or just the Council, the figure would remain the same.

Members noted there are currently three local authorities taking advantage of the shared services scheme, Braddan, Lonan and Santon. The cost to a local authority to share the service is £550 per annum for a population of over 1500 and £275 per annum for a population under 1500. The annual payment entitles all residents of that authority to become members of the Henry Bloom Noble Library for free.

To encourage local authorities to buy into the shared services scheme it is recommended they are offered a free trial basis up until the end of this financial year entitling all their residents to use the downloadable eBook and audiobook service via the library's website at home. It was further recommended that those authorities who have paid their subscription be offered a refund for 2012/2013 to take advantage of the free trial period.

If all local authorities took up the offer for a free trial and consequently signed up for the service in April 2013, Douglas Borough Council would receive an income to cover the cost of the eBooks service and allow extra to be re-invested in the development of the eBook service.

A Member expressed concerns about advertising that all residents of a participating local authority would gain membership to the Henry Bloom Noble Library for free. This could be perceived as attracting members of the public to the Douglas library and other local authority libraries may feel threatened. Members agreed that the initiative was to provide an eBook service Island-wide and increase the number of users.

Resolved, "That particulars of the report be noted on the minutes and;

- (i) All local authorities on the Island who do not currently buy into the shared services scheme (20 out of 23) are offered the opportunity to participate in the scheme on a free trial basis up to the end of this financial year as this will entitle all their residents to use the downloadable eBooks and audiobook service via the library's website and from home.
- (ii) The three local authorities who have paid their subscription for 2012/2013 be offered a refund.
- (iii) The changes in fees be referred to Executive Committee for approval."

***PART C -
Matters requiring Council Approval***

There were no matters requiring Council approval.

The meeting ended at 1.10pm.

VII(iii) – The proceedings of the ENVIRONMENTAL SERVICES ADVISORY COMMITTEE as follows:

ENVIRONMENTAL SERVICES ADVISORY COMMITTEE

ENVIRONMENTAL SERVICES ADVISORY COMMITTEE – Minutes of meeting held on Monday, 16th July, 2012.

Members Present: Mr. Councillor R.H. McNicholl (Lead Member), the Mayor, Councillor Mrs. S.D.A. Hackman, Messrs Councillors C.C. Thomas, C.L.H. Cain, A.V. Quirk.

In Attendance: Borough Engineer and Surveyor (from 11.30am – 12.30pm only), Assistant Town Clerk (from 10.00am – 11.30am only), Assistant Borough Engineer, Building Control Manager, Senior Accountancy Officer, Democratic Services Officer.

REPORT

PART A -

Matters within the scope of the Advisory Committee's delegated authority

A1. Minutes 18th June, 2012

Minutes of the meeting held Monday, 18th June, 2012 were approved and signed.

A2. Matters Arising – Planning

Query was raised as to the consultation on proposals for the bus station on Victoria Street. The Committee was advised that when the consultation document is received from the Government it will be circulated to all Members for comment; a report will be prepared by the Assistant Town Clerk taking into account Member's comments; the report will be considered by the Executive Committee who will make recommendations to the Council.

Resolved, "That the discussion be noted on the minutes."

A3. List of dangerous, neglected, ruinous and dilapidated properties and properties in poor condition

The Advisory Committee considered the two lists of properties being dealt with by the Building Control Section on behalf of the Council because the exterior of the property is in a poor state. There was discussion on a number of properties on the list. Question was raised as to what powers of compulsory purchase there are on the Island and who can exercise those powers.

Resolved, "That the lists and discussion be noted on the minutes."

A4. Items for Future Consideration

The Committee considered a report setting out items on which there are reports outstanding. A Member asked why no information has been brought back on attendance at meetings of the Joint Civic Amenity Site Committee and the Richmond Hill (Incinerator) Consultative Committee. Members who had previously served on those two committees advised that the usual practice was for the minutes from the meetings of those committees to only be circulated once they have been approved by the respective committees.

Members noted that reports were required for the September meeting on the review of waste management and on the anti-chewing gum littering campaign.

The Assistant Borough Engineer verbally updated the Committee on some changes to personnel in the Waste Management section.

Question was raised about the Council's role in planning matters. There was some discussion about the Council as an 'interested party' in planning matters. It was agreed that a Briefing Note would be prepared and circulated explaining the Council's role in planning.

Resolved, "That the report and discussion be noted on the minutes."

A5. Keep Britain Tidy - Presentation

Mrs Elizabeth Moss, Network Development Manager of Keep Britain Tidy, joined the meeting at 11.30am and gave a presentation on the past, present and future work of *Keep Britain Tidy*. The presentation included information on the current *Love Where You Live* campaign. It was agreed that a

report on the way forward for the Council in connection with its work with *Keep Britain Tidy* should be brought forward for consideration by the Committee and the Council.

Resolved, "That the presentation be noted on the minutes."

PART B –

Matters requiring Executive Committee Approval

No matters were considered which require Executive Committee approval

PART C –

Matters requiring Council Approval

No matters were considered which require Council approval.

The meeting ended at 12.45pm.

IX - MOTIONS, of which Notice has been given by Members of the Council under Standing Order 26:

MOTIONS

1. Mr. Councillor C.C. Thomas to move:

That the Council investigate all options for financing the Council's rate-borne and other borrowings, including opportunities for the issuance of bonds, and reports back to Council at its November 2012 meeting.

2. Mr. Councillor C.C. Thomas to move:

That the Council investigates increasing its allocation of resource to planning to contribute to joined-up regeneration of Douglas and reports back to Council at its November 2012 meeting, especially in the light of the Council's submission to Lower Douglas Master Plan consultation that i) it is dissatisfied that the Douglas Plan has not been updated since 1998 and that ii) it would support the development of a high quality undercover bus interchange and facilities as part of the Lower Douglas Master Plan.

Note: Standing Order 30 provides that where the subject matter of any Motion falls within the province of the Executive, Pensions or Standards Committee, it shall upon being moved and seconded stand referred without discussion, for consideration.